

CHAPTER NO. 974

HOUSE BILL NO. 2591

**By Representatives John DeBerry, Brown, Wood, Patton, Williams, Bowers, Kernell, Towns, Bunch, Stulce, Armstrong, Black, Goins, Miller, Pleasant, Ulysses Jones, Brenda Turner, Ralph Cole, Kent, Ridgeway, Pinion**

**Substituted for: Senate Bill No. 2813**

**By Senators Ramsey, Henry**

AN ACT to amend Tennessee Code Annotated, Title 3, Chapter 15, relative to the Commission on Responsible Fatherhood. This act appropriates a sum certain to implement the provisions of the act in fiscal year 2000-2001.

WHEREAS, the General Assembly recognizes the detrimental effect of fatherlessness and poor parenting on children. Fatherless children experience significantly higher instances of poverty, psychological problems, criminal activity, drug and alcohol abuse, violence, suicide, school drop-out, and teenage pregnancy; and

WHEREAS, the pervasive nature of these significant problems attributed directly to father absence creates incentive to address this issue; and

WHEREAS, the purpose of the Commission on Responsible Fatherhood shall be to raise awareness of the problems created when a child grows up without the presence of a responsible father; to identify obstacles that impede or prevent the involvement of responsible fathers in the lives of their children; to promote awareness of the parenting skills needed by fathers to meet the needs of their children; to identify strategies that are successful in encouraging responsible fatherhood and to promote respect of women and men in the family; now, therefore,

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 3, Chapter 15, is amended by adding Sections 2 through 9 as a new Part.

SECTION 2.

(a)(1) Subject to the availability of adequate funding through grants and private contributions and without use of state resources, there is hereby created, within the legislative department, the Commission on Responsible Fatherhood. The commission shall operate only to the extent adequate funding is secured through grants or private contributions, which shall not be derived from state resources. The commission shall consist of seventeen (17) members. Three (3) Senators shall be appointed by the Speaker of the Senate, at least one (1) of whom shall be appointed from the membership of the Select Committee on Children and Youth and the Senate Judiciary Committee. Three (3) citizen members, who are knowledgeable on fatherhood and family matters, shall be appointed by the Speaker of the Senate, one nominated from the Tennessee Bar Association, Family Law section. One (1) such citizen member shall reside in each of the state's three (3) grand divisions. Three (3) representatives shall be

appointed by the Speaker of the House of Representatives, at least one (1) of whom shall be appointed from the membership of each of the following standing committees of the House: Children and Family Affairs and Judiciary. Three (3) citizen members, who are knowledgeable on fatherhood and family matters, shall be appointed by the Speaker of the House, one nominated from the Tennessee Task Force Against Domestic Violence. Three (3) citizen members shall be appointed by the Governor. One (1) such citizen member shall be from each of the following: the faith community and one will be a child mental health expert with a doctorate degree and one from the Tennessee Dads Against Discrimination organization. One (1) representative of the Department of Children's Services or the Department of Human Services shall be appointed by joint agreement of the commissioners; and one (1) Judge from the pilot mediation program shall be appointed by the director of the Administrative Office of the Courts. Appointments to the commission shall be made within thirty (30) days of the effective date of this legislation.

(2) Each legislative member appointed to the commission shall continue to serve on the commission for the duration of the commission's existence for as long as such member continues to serve as a member of the General Assembly. Any vacancies occurring on the commission shall be filled subject to the guidelines established in this subsection.

(b) The commission shall meet within thirty (30) days of the appointments and at least quarterly and at the call of the Chair. Legislative members of the commission shall be entitled to reimbursement for their expenses in attending meetings of the commission or any subcommittee thereof in accordance with the properly promulgated comprehensive travel regulations; provided that such reimbursement shall be subject to the availability of funding from grants and private contributions and shall not be derived from state funding.

SECTION 3. The Commission on Responsible Fatherhood is authorized to:

- (1) Create subcommittees related to its purposes;
- (2) Conduct such meetings and public hearings in Nashville and across the state as shall be necessary;
- (3) Employ commission staff, subject to the availability of funding for such purpose and subject to approval by both Speakers;
- (4) Enter into contracts for technical or professional services, subject to the availability of funding for such purpose and subject to approval by both Speakers; and
- (5) Perform such other duties as are required by the provisions of this part or as may be requested by Joint Resolution of the General Assembly.

SECTION 4. The Commission on Responsible Fatherhood shall publish an annual report by February 1 of each year which summarizes the committee's activities, findings, recommendations, proposals, and expenditure of funds. A copy of the annual report shall be distributed to each member of the General Assembly.

SECTION 5. It is the duty of the Commission on Responsible Fatherhood to:

- (1) Review current policies on fatherhood;
- (2) Study the many problems that jeopardize the father-child bond, including, but not limited to, such persistent, interdisciplinary problems as historically low expectations held of fathers in the context of nurturing and providing emotional support for the family; fathers who are absent from the home and/or voluntarily do not participate in their children's lives; fathers who have been involuntarily obstructed from participating in the lives of their children; the harmful effects on children of physical, verbal abuse and disrespect of a parent to another and/or to the children; fathers who are present in the home but who are disengaged from their children's lives; and the problems experienced by children as a result of father absence, such as poverty, psychological problems, poor self-esteem, criminal activity, drug and alcohol abuse, violence, suicide, school drop-out, and teenage pregnancy;
- (3) Define and establish the components, guidelines and objectives of a comprehensive state policy to ensure and promote the present and future of the child-father bond so as to enable them to meet the needs of their children and promote respect of men and women in the family;
- (4) Identify any Tennessee laws, regulations, programs, services and budgetary priorities that conflict with the components, guidelines and objectives of such comprehensive policies;
- (5) Search for any interdepartmental gaps, inconsistencies and inefficiencies in the implementation or attainment of such comprehensive policy;
- (6) Identify any new laws, regulations, programs, services and budgetary priorities which are needed to ensure and promote the present and future health of the child-father bond so as to enable them to meet the needs of their children and promote respect of men and women in the family;
- (7) Serve as in-house informational resource for the General Assembly on legislative policy matters pertaining to parenting issues;
- (8) Perform such other activities as are reasonably related to the legislative intent of the part, including but not necessarily limited to, improving public awareness of problems caused by father absence, poor parenting skills and the importance of respect in the family;
- (9) Compile available information on the extent and implications of the absence of responsible fathers from families;
- (10) Identify barriers in both the public and private sectors to responsible fatherhood and make recommendations that pursue the elimination of those barriers;
- (11) Identify successful strategies that encourage responsible fatherhood and recommend and promotes those which should be recognized, expanded or replicated;
- (12) Identify how existing state and community resources can be used to encourage responsible fatherhood;

(13) Identify strategies to use to meet the needs of children and families when a responsible father is not available for a family;

(14) Work in cooperation with local community based prenatal and infant health care coalitions to advise these coalitions on their implementation of plans to increase the participation of responsible fathers in families; and

(15) Support a statewide symposium on the issue of responsible fatherhood.

SECTION 6. The Commission on Responsible Fatherhood shall be guided by the following principles:

(1) The areas where responsible fathering appear to break down should be addressed. Men should be encouraged to be responsible fathers, to be full partners in parenting their children, and to respect their partners as fully equal;

(2) Peer support networks for fathers are an essential part of any successful strategy to connect or reconnect responsible fathers to their children;

(3) Women have a crucial role in promoting and supporting the involvement of responsible fathers in the lives of their children, and that role must not be overlooked or diminished;

(4) The emotional and developmental needs of children should be paramount;

(5) Family violence, including verbal and emotional abuse, neglect and other harmful behavior must not be tolerated; and

(6) Special attention should be focused on educating males and females prior to parenthood regarding responsible parenting, particularly the important role fathers and mothers play and the needs of their children; and

(7) Stability and adequate financial support are important to the well-being of children;

SECTION 7. Upon completion of the duties assigned by this part, the Commission on Responsible Fatherhood shall prepare and publish a final report. The committee shall distribute the final report to each member of the General Assembly and shall cease to exist. The committee shall complete such assigned duties as soon as reasonably practicable, but no later than February 1, 2006.

SECTION 8. The Commission on Responsible Fatherhood shall have the authority to apply for grants, including federal grants, and accept private contributions.

SECTION 9. (a) (1) The commission shall meet as necessary to transact business; provided, that meetings shall be held at least quarterly. Special meetings may be called by the chair or by three (3) members of the commission, upon delivery of written notice to each member of the commission. All members shall be duly notified of the time and place of any regular or special meeting at least seven (7) days in advance of such meeting. The commission may conduct meetings that must be open to the public by:

- (A) Telephone conference calls with speaker phones; and/or
- (B) Electronic conferencing.

Such meetings shall conform to the requirements of Title 8, Chapter 44, Part 1. The commission shall elect at the first regular meeting of each calendar year a Chair, a Vice Chair, and three (3) representatives, one (1) from each of the three (3) grand divisions, who shall comprise the five-member executive committee to function between quarterly meetings. The Chair or the Executive Director may call meetings of the executive committee. The executive committee shall carry out the matters delegated to it by the full commission. The majority of the members of the commission shall constitute a quorum and the concurrence of a majority of those present and voting in any matter within its duties shall be required for a determination of matters within its jurisdiction.

(2) All reimbursement for travel expenses shall be in accordance with the provisions of the comprehensive travel regulations promulgated by the Department of Finance and Administration and approved by the Attorney General and Reporter.

(b) (1) The commission shall promulgate bylaws to provide for the election of officers, establishment of committees, meetings and regulations as to procedural matters of the commission. The commission shall conduct its meetings using Robert's Rules of Order.

(2) The commission is also authorized to promulgate, amend, revise and rescind rules for its own functioning in accordance with the Uniform Administrative Procedures Act compiled in Title 4, Chapter 5.

(c) For administrative purposes, the commission is attached to the Department of State for all administrative matters relating to receipts, disbursements, expense accounts, budget, audit, and other related items.

SECTION 10. The conflict of interest provisions set forth in § 12-4-101, shall apply to members of the commission.

SECTION 11. Tennessee Code Annotated, Section 4-29-223(a), is amended by adding a new item thereto, as follows:

- ( ) Commission on Responsible Fatherhood, created by Section 2 of this Act;

SECTION 12. This act shall take effect upon becoming law, the public welfare requiring it.

PASSED: June 13, 2000

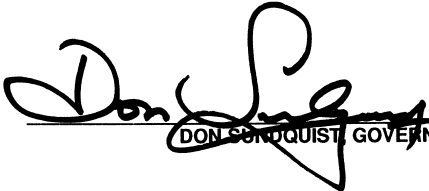


JIMMY NAIFEH, SPEAKER  
HOUSE OF REPRESENTATIVES



JOHN S. WILDER  
SPEAKER OF THE SENATE

APPROVED this 23<sup>rd</sup> day of June 2000



DON SUNDQUIST, GOVERNOR